



Rockport Wetlands By-law and MA Wetlands Protection Act **Application Guidelines for Abbreviated Notice of Resource Area** **Delineation (ANRAD's)**

The following submission guidelines are intended to assist applicants and their consultants by providing the information necessary to address the concerns of the Rockport Wetlands Protection By-law and the MA Wetlands Protection Act Regulations. The Rockport Wetlands Protection By-law and Regulations may be downloaded at www.Rockportma.gov; the MA Wetlands Protection Act Regulations (310 CMR 10.00) may be downloaded at the MA DEP website at <http://www.mass.gov/eea/agencies/massdep/water/regulations/310-cmr-10-00-wetlands-protection-act-regulations.html>

- 1) **Review the Rockport Wetlands By-law Regulations and the MA Wetlands Protection Act Regulations with special attention to pertinent resource areas.**
- 2) **It is strongly recommended that you schedule an appointment to review your application materials before the filing deadline.** Our Conservation Agent is available to assist applicants during the permitting process. Please contact the Conservation Office at (978) 546-5005.
- 3) **Submit at least two (2) copies of a complete application, and seven (7) copies of the plan(s) and narrative report to the Rockport Conservation Commission two weeks before a regularly scheduled hearing (see details in paragraph 4) below). Send one (1) complete copy, simultaneously via certified mail to the:**

MA Department of Environmental Protection (DEP)
Northeast Region - Wetlands & Waterways
205B Lowell Street
Wilmington, MA 01887

We recommend you keep one copy of the complete application for your own records, for a total of eleven (11) copies.

A complete application includes:

- a. **The WPA Form 4A - Abbreviated Notice of Resource Area Delineation** (One original signed copy for the file.)
- b. **Fees:** Each application reviewed under the MA Wetlands Protection Act and the local Rockport Wetlands By-law requires the submission of four (4) checks for three (3) separate fees. Please provide a copy of these four checks with the application.

State Fees: The state fees are divided between the State and local government. See **BRP WPA Form 4A Instructions to Section E: Fees and the Appendix B Wetland Transmittal Form attachment to calculate your state application fee.**

- i. ***The Town's share of the state wetland filing fee***, in the form of a check or money order made payable to *The Town of Rockport*, shall be submitted to the Conservation Commission along with a copy of the Wetland Fee Transmittal Form (pages 1 and 2).
- ii. ***The State's share of the state wetland filing fee***, in the form of a check or money order made payable to the *Commonwealth of Massachusetts*, shall be sent **via certified mail** along with a copy of the Wetland Fee Transmittal Form (pages 1 and 2) to the following address:

*Department of Environmental Protection
Box #4062
Boston, MA 02211*

The local filing fee calculation worksheet with an enclosed check for the appropriate amount. Make check payable to: *The Town of Rockport*. Please include the applicants name and address on the check.

Legal Ad Fee: There is a fee for placing a legal ad in the Gloucester Daily Times. Our Conservation Agent will create the legal ad and submit it to the paper. **Please contact our Agent @ 978-546-5005 for the most current fee amount.** Make check payable to: *Gloucester Daily Times* and submit to the Rockport Conservation Commission with the application. *Please include the applicants name and address on the check.

- c. An 8 ½" x 11" section of a **USGS quadrangle sheet or locus map** sufficient to show the location of the area (you may use the locus map found on our website).
- d. **Notification to Abutters and Affidavit of Service forms.** The applicant shall submit a copy the Notification to Abutters of an abutters list of the most recent applicable tax list of the assessors. The notice to abutters shall have enclosed a copy of the permit application or request, with plans, or shall state where copies may be examined and obtained by abutters. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. When a person requesting a determination is other than the owner, the request, the notice of the hearing, and the determination itself, shall be sent by the Commission to the owner as well as to the person making the request.
- e. **Abutters list** verified and stamped by the Rockport Assessor's Office for all abutters and abutters to the abutters within 300 feet of the property line of the parcel or parcels of land where the proposed activity is to take place, and copies of "Receipt for Certified Mail", or copies of "Return Receipt Cards" or a copy of the stamped abutters list with hand-gathered signatures as proof of abutter notification. **When applying for an abutters list from the Assessors' Office, please be aware of the form you are using for application (WPA and By-law, or By-law Only) as the abutters list will be different.**
- f. **A Site Plan** to the scale of 1" = 20' delineating all wetland resource areas (both state and local), property boundaries and existing topographic features and

- elevations of the project site. Existing contours of the site and existing contours within 50 feet around its perimeter shall be shown. The contour interval shall be one foot except in those areas that exceed 20% grade where five foot intervals shall be acceptable. Spot elevations shall be included in areas with grades of 2% or less. Elevations shall be based on Mean Sea Level Datum of 1988 (NAVD) with a permanent bench mark for all projects.
- g. The delineated boundary of the resource area(s) with flag numbers and elevations on site and including those extending off the project site (where applicable).
 - h. Location(s) of transects and soil samples. All relevant delineation data sheets (a minimum of 2 for every 100ft of wetland boundary delineated). The name of the wetland scientist and date of delineation.
 - i. The location of soil sample sites and vegetation plot sites shall be staked or flagged in the field.
 - j. The wetland scientist's narrative report of the delineation together with the field data sheets in accordance with 310 CMR 10.55 (DEP Bordering Vegetated Wetland Delineation Form).
- 4) The Rockport Conservation Commission (RCC) encourages electronic submittal of applications. All portions of applications may be electronically submitted to the RCC Office including:
- Site Plan(s)
 - WPA forms
 - Locus map
 - Affidavit of service
 - Notification to abutters
 - Signed list of abutters
 - Narrative report
 - Photos

Electronic filing will also require the following paperwork:

- a. Narrative report (7 copies);
- b. Site Plan(s) (7 copies, may reduce size but no smaller than 11"x 17"); and
- c. One (1) paper **original** and one (1) paper **copy** of the entire submission, including large scale 36"x 24" plan(s) (where applicable).

The Conservation Agent will prepare a file for viewing the material at the meeting. A laptop computer, projector and screen are available for this purpose. The electronic presentation should be submitted in a protected format (such as pdf or CAD). Electronic submission will greatly reduce the amount of paper used when filing requests and make the material easier to display for the public viewing during presentations to the RCC.

- 5) The Commission will arrange for the publishing of a legal notice in a local newspaper and at Town Hall. **Please note that the newspaper will not print the legal advertisement until the fee is prepaid (see 3b above).**
- 6) Once the Conservation Office receives the copies of a complete application, a public hearing will be scheduled. **The Commission requires that a complete application packet be submitted a minimum of 2 weeks before a regularly scheduled, public hearing.** Please check in with the Conservation Office for upcoming deadlines.
- 7) **The applicant or a designated representative is required to attend the scheduled public hearing and give a brief presentation on the delineation to the Commission members and the public.** Most often the first hearing is followed-up with a site visit by the Commission on the following Saturday morning. Hearings continue until the Commission members are satisfied that all necessary information to vote on the proposal has been presented.
- 8) **The Commission will then vote on the ANRAD application at a public hearing.** The Order of Resource Area Delineation issued by the Commission will either be mailed to the applicant via certified mail within 21 days of the vote or the applicant may arrange to pick it up at Town Hall.